

**OFFICE OF ATTORNEY GENERAL****INSURANCE FRAUD SECTION****TOM CORBETT • ATTORNEY GENERAL****NEWSLETTER**

Brooklyn Family Members Arrested on Alleged Insurance Scam



Benito Berrios Jr.



Benito Berrios Sr.



Maria Hernandez



Deana Berrios



Melissa Berrios



Donna Berrios

On January 23, 2008, six members of the Berrios family, Benito Berrios, Jr., Benito Berrios, Sr., Maria Hernandez, Deana Berrios, Melissa Berrios and Donna Berrios, were arrested in Monroe County.

According to the Criminal Complaint, Benito Berrios, Jr., owns a weekend home in the "A Pocono Country Place" development in Coolbaugh Township, Tobyhanna, Pennsylvania. This Tobyhanna address was used by all of the defendants to obtain automobile insurance for their vehicles while they live in New York. The gate entry records from October 2007 at the development indicated that the home had been used primarily on weekends and holidays.

The Complaint further alleged that four of the defendants are involved in the operation of an illegal school bus service in the Brooklyn area. The operation utilized vehicles titled, tagged and insured in Pennsylvania at the Tobyhanna address as non-commercial passenger vehicles to take students to a school in Brooklyn, New York on a daily basis. Defendant Benito Berrios, Sr. is the owner of the bus service and personally facilitated the applications for insurance on the vans.

Fourteen vehicles were registered at the Tobyhanna address including four, 15 seat passenger vans in an attempt to secure cheaper insurance rates with Brethren Mutual, Progressive, Allstate, Geico and Allied Insurance Companies.

Five of the defendants, excluding Benito Berrios Sr., applied for and obtained Pennsylvania drivers licenses listing the Tobyhanna, Pennsylvania address as their home and insuring their vehicles under that address.

The defendants were each charged with two counts of Insurance Fraud (F3 & M1), one count of Theft by Deception (F3), one count of Tampering with Public Records (F3), one count of Criminal Conspiracy (F3), one count of Unsworn Falsification (M3) and one count of False Application for Certificate of Title or Registration (M1).



- Edward Cihowski was arrested on January 29, 2008, in Schuylkill County. According to the Criminal Complaint, Cihowski began working and receiving wages from K & W Trucking. It is alleged that in addition to not reporting his new employment or wages to Guard Insurance Company, Cihowski returned three sets of LIBC forms to Guard on which he falsely stated that he was not employed



and that his physical condition had not changed. Cihowski has been charged with two counts of Workers' Compensation Insurance Fraud (F3) and one count of Theft by Deception (F3).

- On January 31, 2008, Christine Nyce was arrested in Montgomery County. According to the Criminal Complaint, American Fidelity and Liberty Insurance issued a long-term/home health care insurance policy to Harry Dibussolo which provided reimbursement for certain personal care expenses. At the time of the issuance of the policy, Nyce was living with Mr. Dibussolo. Mr. Dibussolo required the services of a personal care provider and applied for benefits under his policy. The policy excluded personal care provided by a spouse or someone already living at the insured's address before the issuance of the policy and/or the need for services. AF&L received health care reports containing the signature of Deb Stas and issued payments for these services. It is alleged that Ms. Stas never provided the home health care services and that Nyce submitted the reports and forged the signature of Deb Stas. Nyce has been charged with one count of Insurance Fraud (F3), one count of Theft by Deception (F3) and one count of Forgery (M1).

- Lennox Haynes was arrested on January 11, 2008 in Montgomery County. According to the Criminal Complaint, Haynes added a 2007 GMC Yukon to his automobile policy with AIG

Insurance Company. On the same day, Haynes submitted a claim for damage for the vehicle. It is alleged that the damage had occurred prior to the vehicle being added to the AIG policy. Haynes has been charged with two counts of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).

- On January 10, 2008, Leon Ly and Global Enterprises, Inc., were arrested in Philadelphia County. According to the Criminal Complaint, Ly is the owner of a business operating throughout the years at numerous locations and under several names including, Global Enterprises, Global Resources and Global Resource Staffing, Inc. The business provides temporary employees to a variety of employers. It is alleged that Ly held the primary responsibility of maintaining and paying for workers' compensation insurance for the business but from April through August 2004, Ly operated the business without workers' compensation insurance. Ly and Global Enterprises, Inc. were arrested and each charged with 268 counts of Failure to Carry Workers' Compensation Insurance (F3 & M3).

- Renee Gilkin was arrested on January 4, 2008 in Dauphin County. According to the Criminal Complaint, Gilkin forged the endorsing signature of her deceased boyfriend on 15 monthly workers' compensation checks paid by the State Workers' Insurance Fund.



Unaware that the boyfriend had passed away, SWIF continued to mail the monthly benefit checks to his postal box to which Gilkin had joint access. It is alleged that after forging the endorsements, Gilkin cashed the checks. Additionally, it is alleged Gilkin forged her deceased boyfriend's signature on a Labor and Industry form upon which Gilkin falsely asserted her boyfriend's continuing eligibility to receive benefits. Gilkin has been charged with one count of Workers' Compensation Insurance Fraud (F3), one count of Theft by Deception (F3) and one count of Forgery (F3).

- On January 30, 2008, Katherin Yova was arrested in Lawrence County. According to the Criminal Complaint, Yova filed auto claims with five different insurance companies, claiming to have collided with deer on six separate occasions. It is alleged that photographs collected by the insurers demonstrate that for at least two of these claims, no new damage was found on Yova's car. It is further alleged that with at least two of the insurance companies, Yova misrepresented her insurance and claims history. Yova has been charged with three counts of Insurance Fraud (F3 & M1) and two counts of Criminal Attempt/Theft by Deception (M1).



- Robert Martin was arrested on January 9, 2008, in Luzerne County. According to the Criminal Complaint, Martin reported to the Progressive Insurance Company that he had been in an accident in which he side-swiped a telephone poll and was hospitalized, incurring hospital bills. It is alleged that Martin's girlfriend was operating the car at the time of the accident, that her license was suspended at the time and that she was the sole occupant of the car. It is further alleged



that Martin went to the emergency room to add credibility to his story. Martin has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (M1).

- On January 31, 2008, Karash Woolie was arrested in Berks County. According to the Criminal Complaint, Woolie was injured in a work-related accident late in 2005 and began collecting workers' compensation. As part of his medical treatment, Woolie took a taxi cab to his medical appointments and submitted receipts for the costs incurred. Numerous receipts were submitted from Quaker City Cab Company enumerating costs of \$50 or

\$100 per cab ride. It is alleged that the receipts were altered. It is further alleged that the cab numbers shown on the receipts were not dispatched to the route taken by Woolie and the name listed as the cab driver is not an actual cab driver. Woolie has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (F3).

- James Becker was arrested on January 31, 2008 in Washington County. According to the Criminal Complaint, Becker presented forged prescriptions for various controlled substances to several pharmacies in Allegheny and Washington Counties. At the time, Becker was a surgical technician at a VA Medical Center. It is alleged that Becker unlawfully obtained two blank VA prescription forms and presented them using the names of several VA physicians who did not authorize the issuance of the prescriptions. It is further alleged that these unauthorized prescriptions were billed to Becker's insurance with UPMC. Becker has been charged with ten counts of Insurance Fraud (F3), ten counts of Act 64 Violations (F) and one count of Forgery (M1).
- Fred and Karie Struble were arrested on January 30, 2008 in Washington County. According to the Criminal Complaint, the Strubles filed a claim with Erie Insurance Company that their Dodge Ram pickup truck was stolen. The Strubles reported that they last observed their truck on the evening of August 19th, parked in their driveway and when they awoke the next morning, the truck was gone. It is alleged that Fred Struble was actually operating the pickup truck on the evening of August 19th when he lost control of the truck, collided with a tree and then fled the scene of the accident. The Strubles did not have collision coverage with their Erie Insurance policy. It is further alleged that the Strubles attempted to have the damage to the truck covered by claiming the truck was stolen. The Strubles were charged with four counts of Insurance Fraud (F3), two counts of Criminal Attempt/Theft by Deception (F3) and one count of False Reports to Law Enforcement Authorities (M1).



CONVICTIONS

- Lanny Blyweiss pled guilty to five counts of Theft by Deception (F3) in Montgomery County in connection with thefts from 2 clients. Blyweiss, an insurance agent, was contracted to purchase an insurance policy for one client through Life Insurance Company of the Southwest. Blyweiss failed to obtain the policy and pocketed the \$25,000.00 that the client provided to purchase the policy. Blyweiss then made fraudulent withdrawals totaling \$102,233.86 from the same client's non-qualified annuity insurance policies by forging her signature to withdrawal forms and then checks. Blyweiss was also given approximately \$14,500 in order to purchase an annuity policy on behalf of a charity. Instead of purchasing the policy, Blyweiss pocketed these funds. Blyweiss created fictitious statements to cover-up his activities. Blyweiss was sentenced to a combination of jail, house arrest and probation and ordered to pay the balance of restitution (\$84,486.96) and all court costs.

- James Malarik pled guilty to one count of Insurance Fraud (F3) in Allegheny County. Malarik presented forged scripts for x-rays and then had the x-rays performed at numerous medical facilities throughout Allegheny County. The subsequent bills were submitted to Highmark Insurance Company for payment. Malarik was sentenced to serve 11 ½ to 23 months incarceration, followed by 2 years probation, and was ordered to pay restitution of \$4,135.02 and all court costs.



- Lawrence Whitaker pled guilty to one count of Insurance Fraud (F3) in Philadelphia County. Whitaker was a passenger on a casino tour bus that was struck by a hit and run driver in Philadelphia. The impact was slight and the damage to the bus was minimal. A number of the passengers had purchased tickets knowing that the bus was going to be hit and then filed personal injury claims to Lancer,

Allstate, Rutgers and American Independent Insurance Companies. Whitaker was one of the passengers that submitted a false claim for injuries. Whitaker was sentenced to time-served to 12 months incarceration, followed by 2 years probation and was ordered to pay restitution of \$3,864 and all court costs.

- John Lowe pled guilty to one count of Theft by Unlawful Taking (F3) in Clearfield County. Lowe, an insurance agent, created fraudulent cash surrender release forms on whole life insurance policies of five policyholders, forged their signatures and submitted the documents to AIG American General Insurance Company. Lowe then forged the signatures of the payees and deposited the drafts in his personal account. Lowe was sentenced to serve 2 months incarceration, followed by 22 months probation and was ordered to pay a fine of \$1,000, restitution of \$6,051.93 and all court costs.



- On January 8, 2008, Tracey Garrett pled guilty to one count of Theft by Unlawful Taking (M1) in Philadelphia County. Garrett received disability benefits from ING ReliaStar Life Insurance Company for a wrist injury. Garrett's doctor released him to work, but Garrett told ING that he was still in need of treatment and could not work in order to continue receiving disability payments. Garrett also submitted a forged document to ING indicating he could not return to work. Before being sentenced, Garrett paid all restitution (\$9,193.60). Garrett was sentenced to 3 years probation, ordered to perform 300 hours of community service and ordered to pay all court costs.

- Kim Conner pled guilty to one count of Insurance Fraud (F3) in Bradford County. Connor submitted a fraudulent auto accident claim to Progressive Insurance Company. Conner obtained coverage for her car after her son was involved in an accident and lied about the actual date of the accident to get Progressive to pay the claim. Conner was

sentenced to 3 years probation and ordered to pay a fine of \$1,000 and all court costs.

- Jeffrey Lucente and Eric Hunter each pled guilty to one count of Criminal Conspiracy/Theft by Deception (M1) in Allegheny County. Lucente filed a claim with Progressive Insurance Company reporting that his Harley Davidson motorcycle was stolen. However, our investigation revealed that Lucente asked his stepbrother, Hunter, to store the motorcycle while he made the false claim. Hunter then lied to the Progressive Insurance Company when asked about the motorcycle. Lucente and Hunter were sentenced to serve 2 years probation, ordered to perform 50 hours of community service and ordered to pay a fine of \$500 and all court costs.
- Joshua Montano pled guilty to one count of Criminal Attempt/Theft by Deception (M1) in Cumberland County. Montano submitted a fraudulent auto accident claim to Progressive Insurance Company. Montano obtained coverage for his car online after his son was involved in an accident. Montano filed a claim falsely stating that the accident occurred after he obtained the coverage. Montano was sentenced to serve 2 years probation, ordered to perform 75 hours of community service and ordered to pay a fine of \$250 and all court costs.
- Craig Taylor pled guilty to two counts of Insurance Fraud (F3) in Washington County. Taylor filed a fraudulent claim with Zurich Insurance Company reporting that a rental truck they insured struck and damaged the right side of his Jeep while parked at his residence. However, the damage was from a prior accident. After Zurich denied the claim, Taylor filed a second claim for the same fictitious accident with Allstate Insurance Company who insured the other individual. Taylor was sentenced to serve 2 years probation and ordered to pay all court costs.
- Kenneth Dehonney, III and NEJ Abatement Corporation pled guilty to three counts of Failure to Insure (M3) in Allegheny County. Dehonney, a sub-contractor, entered into an agreement with Lytle Construction Service to remove asbestos and lead containing material

and perform interior demolition of a building. Dehonney was to procure and maintain standard limits for workers' compensation insurance and general liability insurance. Dehonney failed to obtain workers' compensation and general liability insurance and provided a fraudulent certificate of insurance to Lytle which he obtained by falsely claiming he had workers' compensation insurance and the job he needed the certificate for was already completed. Dehonney was sentenced to serve 1 year probation and was ordered to pay restitution, a fine of \$3,500 and all court costs. NEJ Abatement Corporation was ordered to serve 1 year probation.

(ARD) DISPOSITIONS

During the month of January, three additional defendants received Accelerated Rehabilitative Disposition (ARD). Defendants who receive ARD are typically sentenced to 2 years probation, 50 hours community service, and ordered to pay full restitution, all ARD costs and all court costs.

FRAUD REFERRALS

The Office of Attorney General's Insurance Fraud Section is the largest law enforcement entity in PA vested with specific authority to investigate and prosecute insurance fraud.

Most of the investigations conducted by the Insurance Fraud Section are initiated by referrals from insurance companies.

If you suspect someone is committing insurance fraud, you are encouraged to submit an Insurance Fraud Referral Form to our office. Referrals may be submitted online at: www.attorneygeneral.gov

The INSURANCE INDUSTRY should use one of the following:

- [Instructions for Insurance Industry Form](#) 📄
- [INSURANCE INDUSTRY Printable Referral Form](#) 📄
- [INSURANCE INDUSTRY Online Referral Form](#)